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Claims 1, 2, 12, 13, 15, and 43 have been amended as indicated in Appendix I of this paper (*37 C.F.R. §1.121(c)(1)(ii)*). No new matter has been added.

Claims 1, 2, 12, 13, 15, 16 and 43 were rejected under 35 U.S.C. §112, ¶2, for referring to "3-phenyluracil". Applicants have revised the language of the respective claims to refer to --compound-- as suggested by the Examiner. Withdrawal of the respective rejection is therefore respectfully solicited.

Claim 2 was further rejected under 35 U.S.C. §112, ¶2, for being improperly dependent. In light of applicants' amendment which removes any reference to Claim 1 and which renders Claim 2 independent, it is respectfully requested that the respective rejection be withdrawn. Favorable action is solicited.

In light of the foregoing, Claims 1, 2, 12, 13, 15, 16 and 43 should now be in condition for allowance. The remaining claims, ie. Claims 3 to 7, 26 to 30, 36, 37, 39, 40 and 44 to 51, were indicated by the Examiner as being allowable safe for being dependent from one of the rejected claims. Accordingly, all of the claims should now be in condition for allowance. Favorable action is respectfully solicited.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11.0345. Please credit any excess fees to such deposit account.

Respectfully submitted,
KEIL & WEINKAUF

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Encl.: THE CHANGES IN THE CLAIMS (Appendix I)
THE AMENDED CLAIMS (Appendix II)

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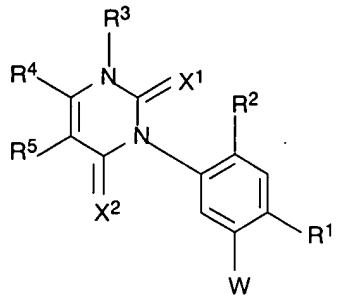
APPENDIX II:

THE CHANGES IN THE CLAIMS:

Amend Claims 1 and 2 as indicated in the following:

1. (*trice amended*) A [~~3-phenyluracil~~] compound of formula I



(I)

where

X^1 and X^2 are each oxygen or sulfur;

W is $-C(R^8)=C(R^9)-CN$, $-C(R^8)=C(R^9)-CO-R^{10}$ or $-CH(R^8)-CH(R^9)-CO-R^{10}$; where

R^8 is hydrogen;

R^9 is halogen or C_1-C_6-alkyl;

R^{10} is $O-R^{17}$ or $-N(R^{15})R^{16}$;

R^{15} and R^{16} are each hydrogen, C_1-C_6-alkyl, C_3-C_6-alkenyl, C_3-C_6-alkynyl, C_3-C_6-cycloalkyl, C_1-C_6-haloalkyl, C_1-C_6-alkoxy-C_1-C_6-alkyl, C_1-C_6-alkylcarbonyl, C_1-C_6-alkoxycarbonyl, [~~C_1-C_6-alkoxycarbony-C_1-C_6-alkyl~~] C_1-C_6-alkoxycarbonyl-C_1-C_6-alkyl or C_1-C_6-alkoxycarbonyl-C_2-C_6-alkenyl, where the alkenyl chain is unsubstituted or carries from one to three of the following radicals: halogen and cyano, or phenyl which is unsubstituted or carries from one to three of the following substituents: cyano, nitro, halogen, C_1-C_6-alkyl, C_1-C_6-haloalkyl, C_3-C_6-alkenyl, C_1-C_6-alkoxy and C_1-C_6-alkoxycarbonyl, or

R^{15} and R^{16} together with the common nitrogen atom form a saturated or unsaturated 4-membered to 7-membered heterocyclic ring consisting of the nitrogen atom to which R^{15} and R^{16} are bonded and from 3 to 6 carbon ring members, or consisting of the nitrogen atom to which R^{15} and R^{16} are bonded and from 2 to 5 carbon ring members and one ring member selected from the group of -O-, -S-, -N=, -NH- and $-N(C_1$-C_6-alkyl$)-$;

R^{17} is hydrogen, C_1-C_6-alkyl, C_3-C_6-alkenyl, C_3-C_6-alkynyl, C_3-C_7-cycloalkyl, C_1-C_6-haloalkyl, C_3-C_6-haloalkenyl, cyano-C_1-C_6-alkyl, C_1-C_6-alkoxy-C_1-C_6-alkyl, C_1-C_6-alkylthio-C_1-C_6-alkyl, C_1-C_6-alkyloximino-C_1-C_6-alkyl, C_1-C_6-alkylcarbonyl, C_1-C_6-alkoxycarbonyl, C_1-C_6-alkylcarbonyl-C_1-C_6-alkyl, C_1-C_6-alkoxycarbonyl-C_1-C_6-alkyl,

phenyl or phenyl-C_1-C_6-alkyl, where each of the phenyl radicals is unsubstituted or carries from one to three of the following substituents: cyano, nitro, halogen, C_1-C_6-alkyl, C_1-C_6-haloalkyl, C_3-C_6-alkenyl, C_1-C_6-alkoxy and C_1-C_6-alkoxycarbonyl;

R^1 is halogen, cyano, nitro or trifluoromethyl;

R^2 is hydrogen or halogen;

R^3 is hydrogen, C_1-C_6-alkyl or C_1-C_6-haloalkyl;

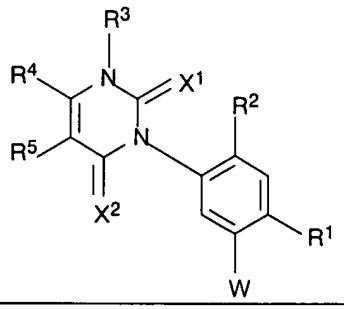
R^4 is C_1-C_6-alkyl or C_1-C_6-haloalkyl;

R^5 is hydrogen, halogen or C_1-C_6-alkyl;

with the proviso that R^4 is not trifluoromethyl when R^5 is hydrogen and W is $-CH=CH-CO-R^{10}$ where R^{10} is C_1-C_6-alkoxy or C_3-C_7-cycloalkoxy;

or a salt or an enol form of the compound of formula I in which R^3 is hydrogen.

2. (*trice amended*) An enol ether of [~~the phenyluracil~~] a compound of formula I [~~defined in claim 1,~~]



(I)

where

X^1 and X^2 are each oxygen or sulfur;

W is $-C(R^8)=C(R^9)-CN$, $-C(R^8)=C(R^9)-CO-R^{10}$ or $-CH(R^8)-CH(R^9)-CO-R^{10}$; where

R^8 is hydrogen;

R^9 is halogen or C_1-C_6-alkyl;

R^{10} is $O-R^{17}$ or $-N(R^{15})R^{16}$;

R^{15} and R^{16} are each hydrogen, C_1-C_6-alkyl, C_3-C_6-alkenyl, C_3-C_6-alkynyl, C_3-C_6-cycloalkyl, C_1-C_6-haloalkyl, C_1-C_6-alkoxy-C_1-C_6-alkyl, C_1-C_6-alkylcarbonyl, C_1-C_6-alkoxycarbonyl, C_1-C_6-alkoxycarbonyl-C_1-C_6-alkyl or C_1-C_6-alkoxycarbonyl-C_2-C_6-alkenyl, where the alkenyl chain is unsubstituted or carries from one to three of the following radicals: halogen and cyano, or phenyl which is unsubstituted or carries from one to three of the following substituents: cyano, nitro, halogen, C_1-C_6-alkyl, C_1-C_6-haloalkyl, C_3-C_6-alkenyl, C_1-C_6-alkoxy and C_1-C_6-alkoxycarbonyl, or

R^{15} and R^{16} together with the common nitrogen atom form a saturated or unsaturated 4-membered to 7-membered heterocyclic ring consisting of the nitrogen atom to which R^{15} and R^{16} are bonded and from 3 to 6 carbon ring members, or consisting of the nitrogen atom to which R^{15} and R^{16} are bonded and from 2 to 5 carbon ring members and one ring member selected from the group of -O-, -S-, -N=, -NH- and -N(C_1-C_6-alkyl)-;

R^{17} is hydrogen, C_1-C_6-alkyl, C_3-C_6-alkenyl, C_3-C_6-alkynyl, C_3-C_7-cycloalkyl, C_1-C_6-haloalkyl, C_3-C_6-haloalkenyl, cyano-C_1-C_6-alkyl, C_1-C_6-alkoxy-C_1-C_6-alkyl, C_1-C_6-alkylthio-C_1-C_6-alkyl, C_1-C_6-alkyloximino-C_1-C_6-alkyl, C_1-C_6-alkylcarbonyl, C_1-C_6-alkoxycarbonyl, C_1-C_6-alkylcarbonyl-C_1-C_6-alkyl, C_1-C_6-alkoxycarbonyl-C_1-C_6-alkyl,

phenyl or phenyl-C_1-C_6-alkyl, where each of the phenyl radicals is unsubstituted or carries from one to three of the following substituents: cyano, nitro, halogen, C_1-C_6-alkyl, C_1-C_6-haloalkyl, C_3-C_6-alkenyl, C_1-C_6-alkoxy and C_1-C_6-alkoxycarbonyl;

R^1 is halogen, cyano, nitro or trifluoromethyl;

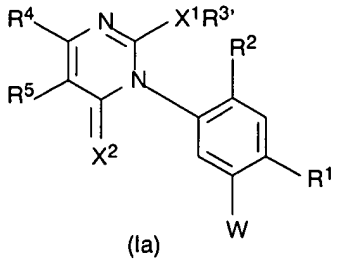
R^2 is hydrogen or halogen;

R^3 is hydrogen, C_1-C_6-alkyl or C_1-C_6-haloalkyl;

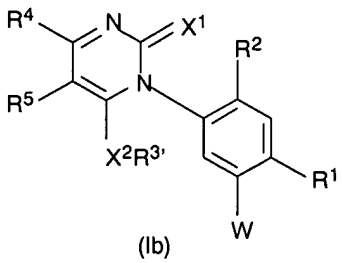
R^4 is C_1-C_6-alkyl or C_1-C_6-haloalkyl;

R^5 is hydrogen, halogen or C_1-C_6-alkyl;

which enol ether is of formula Ia or formula Ib



(Ia)



(Ib)

wherein $R^{3'}$ is C_1-C_6-alkyl, C_3-C_6-alkenyl or C_3-C_6-alkynyl, and X^1, X^2, R^1, R^2, R^4, R^5 and W [~~are as defined in claim 1,~~] have the aforementioned meaning,

with the proviso that R^4 is not trifluoromethyl when R^5 is hydrogen and W is -CH=CH-CO-R^{10} where R^{10} is C_1-C_6-alkoxy or C_3-C_6-cycloalkoxy.

Amend Claims 12 and 13 as indicated in the following:

12. (*twice amended*) A composition comprising an inert liquid or solid carrier and an effective amount of at least one [~~3-phenyluracil~~] compound of formula I defined in claim 1, or the salt or the enol form of the compound of formula I in which R^3 is hydrogen, wherein the amount is adapted to be effective for a purpose selected from the group consisting of controlling undesirable plant growth, desiccating plants, defoliating plants, and controlling pests.

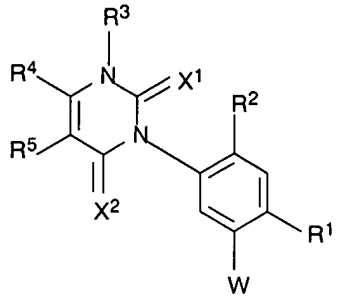
13. (*twice amended*) A method for controlling undesirable plant growth, wherein an effective amount of the [~~3-phenyluracil~~] compound of formula I defined in claim 1, or the salt or the enol form of the compound of formula I in which R^3 is hydrogen, is allowed to act on plants, on their habitat or on seed.

Amend Claim 15 as indicated in the following:

15. (*twice amended*) A method for the desiccation or defoliation of plants, wherein an effective amount of the [~~3-phenyluracil~~] compound of formula I defined in claim 1, or the salt or the enol form of the compound of formula I in which R^3 is hydrogen, is allowed to act on the plants.

Cancel Claim 18 and Claim 42, and amend Claim 43 as indicated in the following:

43. (*twice amended*) A [~~3-phenyluracil~~] compound of formula I



(I)

where

X^1 and X^2 are each oxygen or sulfur;

W is $-C(R^8)=C(R^9)-CN$, $-C(R^8)=C(R^9)-CO-R^{10}$ or $-CH(R^8)-CH(R^9)-CO-R^{10}$; wherein

R^8 is hydrogen;

R^9 is halogen or C_1-C_6-alkyl;

R^{10} is $O-R^{17}$ or $-N(R^{15})R^{16}$;

R^{15} and R^{16} are each hydrogen, C_1-C_6-alkyl, C_3-C_6-alkenyl, C_3-C_6-alkynyl, C_3-C_6-cycloalkyl, C_1-C_6-haloalkyl, C_1-C_6-alkoxy-C_1-C_6-alkyl, C_1-C_6-alkylcarbonyl, C_1-C_6-alkoxycarbonyl, [~~C_1-C_6-alkoxycarbony-C_1-C_6-alkyl~~] <u>C_1-C_6-alkoxycarbonyl-C_1-C_6-alkyl</u> or C_1-C_6-alkoxycarbonyl-C_2-C_6-alkenyl, where the alkenyl chain is unsubstituted or carries from one to three of the following radicals: halogen and cyano, or phenyl which is unsubstituted or carries from one to three of the following substituents: cyano, nitro, halogen, C_1-C_6-alkyl, C_1-C_6-haloalkyl, C_3-C_6-alkenyl, C_1-C_6-alkoxy and C_1-C_6-alkoxycarbonyl, or

R^{15} and R^{16} together with the common nitrogen atom form a saturated or unsaturated 4-membered to 7-membered heterocyclic ring consisting of the nitrogen atom to which R^{15} and R^{16} are bonded and from 3 to 6 carbon ring members, or consisting of the nitrogen atom to which R^{15} and R^{16} are bonded and from 2 to 5 carbon ring members and one ring member selected from the group of -O-, -S-, -N=, -NH- and $-N(C_1$-C_6-alkyl$)-$;

R^{17} is hydrogen, C_1-C_6-alkyl, C_3-C_6-alkenyl, C_3-C_6-alkynyl, C_3-C_7-cycloalkyl, C_1-C_6-haloalkyl, C_3-C_6-haloalkenyl, cyano-C_1-C_6-alkyl, C_1-C_6-alkoxy-C_1-C_6-alkyl, C_1-C_6-alkylthio-

C_1-C_6-alkyl, C_1-C_6-alkyloximino-C_1-C_6-alkyl, C_1-C_6-alkylcarbonyl, C_1-C_6-alkoxycarbonyl, C_1-C_6-alkylcarbonyl-C_1-C_6-alkyl, C_1-C_6-alkoxycarbonyl-C_1-C_6-alkyl,

phenyl or phenyl-C_1-C_6-alkyl, where each of the phenyl radicals is unsubstituted or carries from one to three of the following substituents: cyano, nitro, halogen, C_1-C_6-alkyl, C_1-C_6-haloalkyl, C_3-C_6-alkenyl, C_1-C_6-alkoxy and C_1-C_6-alkoxycarbonyl;

R^1 is halogen, cyano, nitro or trifluoromethyl;

R^2 is hydrogen or halogen;

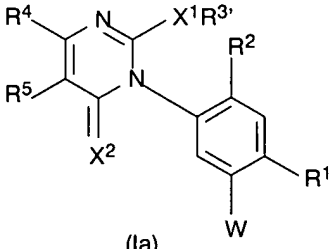
R^3 is hydrogen, C_1-C_6-alkyl or C_1-C_6-haloalkyl;

R^4 is C_1-C_6-alkyl or C_1-C_6-haloalkyl;

R^5 is hydrogen, halogen or C_1-C_6-alkyl;

with the proviso that R^4 is not trifluoromethyl when R^5 is hydrogen and W is $-CH=CH-CO-R^{10}$ where R^{10} is C_1-C_6-alkoxy or C_3-C_7-cycloalkoxy;

or a salt of the compound of formula I in which R^3 is hydrogen, or an enol form of the compound of formula I, which enol form is represented by formula Ia or Ib



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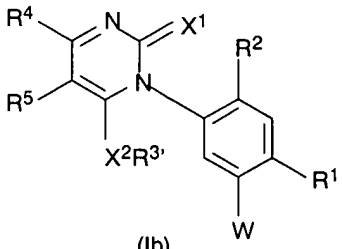

(Ib)

in which $R^{3'}$ is hydrogen, C_1-C_6-alkyl, C_3-C_6-alkenyl or C_3-C_6-alkynyl.

Cancel Claim 52.